

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room A  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR  
MONDAY, JUNE 15, 2015**

**I. CALL TO ORDER**

Supervisor Fletcher called the meeting to order at 6:00 PM.

**II. OPENING CEREMONIES – Pledge of Allegiance**

**III. ROLL CALL**

Members Present: Supervisor Ken Fletcher, Treasurer Howard Pizzo, Clerk Mary R. Clark, Trustee Dennis Fedewa, and Trustee Douglas Kosinski

Members Absent: Trustee Jeff Hicks, Trustee Karen Mojica

Others Present: Manager Brian Reed, Fire Chief John Clark, Accounting Director Jeff Anderson, Planner Chris Gruba, Community Development Director Mark Graham, Assistant Fire Chief Mike Roman, Deputy Davidson, Engineer Gary Arnold

TRUSTEE KOSINSKI MOVED TO EXCUSE TRUSTEE KAREN MOJICA AND TRUSTEE JEFF HICKS FROM THE JUNE 15, 2015 REGULAR BOARD MEETING.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**IV. PRESENTATIONS AND PROCLAMATIONS –**

**1. Fire Department Badge Pinning and Oath of Office**

New Hire – Zach Williams

Chief John Clark and Assistant Fire Chief Mike Roman presented Mr. Williams with his badge, he was hired as a full time employee from a part time position.

**V. SET/ADJUST AGENDA**

Supervisor Fletcher moved “Final Action – New Sign Ordinance” to section #10, Passage of Ordinances.

CLERK CLARK MOVED TO APPROVE THE AGENDA AS AMENDED.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**VI. PUBLIC HEARINGS**

**VII. COMMUNICATIONS**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA** *(maximum two minutes)*

Larry Nakfoor, 10846 Countryside Dr, Countryside Estates, a resident of that address since 1989. On June 14, 2015, the intersection of Countryside and Provincial, near Mr. Nakfoor's residence, flooded for the third time in the past five years. A two foot berm was installed on the east side of the subdivision. CD Hughes, contractor for Our Savior Church, raised the elevation to four feet during a construction project, covering the berm.

Kenneth Todd, 10810 Countryside Dr., spoke about the same flooding issues in his neighborhood.

Andy Stewart 10855 Countryside Dr., a resident of that address for the past five years, also acknowledged that this is the third time in five years that the flooding issues have occurred.

Gary Sowers, 10779 Countryside Dr., stated that he and his neighbors are coming to the Township Board members to ask for assistance with the flooding issues in their neighborhood.

Supervisor Fletcher stated that Delta Township will continue to work with the Eaton County Drain Commissioner regarding the flooding issues within the Township.

**IX. INTRODUCTION OF ORDINANCES**

**X. PASSAGE OF ORDINANCES**

**2. Final Action, New Sign Ordinance**

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD ADOPT THE FINAL DRAFT OF THE SIGN ORDINANCE DATED MAY 20, 2015. FURTHER, THE TOWNSHIP CLERK SHALL PUBLISH A NOTICE OF FINAL PUBLICATION IN LOCAL NEWSPAPERS ON JUNE 21, 2015, INDICATING THAT THE SIGN ORDINANCE WILL BECOME EFFECTIVE ON JUNE 28, 2015.

TREASURER PIZZO SUPPORTED THE MOTION.

Trustee Fedewa asked if staff will now have an opportunity to review the legal non-conforming signs along Saginaw Highway, and determine if there is an applicable incentive program that may be put in place to entice compliance and uniformity.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO,  
TRUSTEE FEDEWA, AND TRUSTEE KOSINSKI

NAYS: NONE

ABSENT: TRUSTEE HICKS, TRUSTEE MOJICA

THE MOTION PASSED 5-0.

**XI. CONSENT AGENDA –**

TREASURER PIZZO MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE KOSINSKI SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO,  
TRUSTEE FEDEWA, AND TRUSTEE KOSINSKI

NAYS: NONE

ABSENT: TRUSTEE HICKS, TRUSTEE MOJICA

THE MOTION PASSED 5-0.

|           |                                  |    |            |
|-----------|----------------------------------|----|------------|
| <b>3.</b> | Bills and Financial Transactions | \$ | 934,137.65 |
|           | Bond/Debt Payments               |    |            |
|           | Investments                      |    |            |
|           | Payroll & Related                |    | 324,106.27 |
|           | Refunds                          |    | 3,500.53   |
|           | Tax Distributions                |    |            |
|           | Vendor Claims                    |    | 606,530.85 |
|           | Total                            | \$ | 934,137.65 |

TREASURER PIZZO MOVED TO APPROVE THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$934,137.65.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**4. Minutes –**

June 1, 2015 Regular Board Meeting Minutes  
June 8, 2015 Committee of the Whole Meeting Minutes

TREASURER PIZZO MOVED TO APPROVE THE JUNE 1, 2015 REGULAR BOARD MEETING MINUTES, AND THE JUNE 8, 2015 COMMITTEE OF THE WHOLE MEETING MINUTES.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**5. Additional Credit Service for David Boomer, Fire Department**

TREASURER PIZZO MOVED TO APPROVE THE FOLLOWING RESOLUTION

AS PROVIDED BY THE MERS PLAN DOCUMENT, THE FOUR (4) MONTHS ADDITIONAL CREDITED SERVICE IS GRANTED THIS MEMBER BY RESOLUTION ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AT ITS MEETING ON JUNE 15, 2015. IT IS UNDERSTOOD THAT CALCULATION OF THE ACTUARIAL COST IS BASED ON THE ASSUMPTIONS PROVIDED AND APPROVED BY THE MES RETIREMENT BOARD ON THE DATE THE CALCULATION WAS PREPARED. ACTUAL, FUTURE EVENTS AND EXPERIENCE MAY RESULT IN CHANGES DIFFERENT FROM THOSE ASSUMED, AND LIABILITY DIFFERENT FROM THAT ESTIMATED, AND

FURTHERMORE, THE EMPLOYEE (DAVID BOOMER) WILL BE RESPONSIBLE AND IS REQUIRED TO PAY THE FULL COST OF THE PURCHASE FOR THE CREDITED SERVICE.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**6. Introduction of Buonodono Rezoning Request, for 4918 W. Mt. Hope Highway, Case No. 5-15-7**

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE BUONODONO REQUEST AS DESCRIBED IN CASE NO. 5-15-7 TO REZONE 0.3 ACRES FROM RB, LOW DENSITY RESIDENTIAL TO B1, LOCAL SERVICE COMMERCIAL. I FURTHER MOVE THAT THE REZONING REQUEST SHALL BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE JULY 6, 2015 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**7. Recommendation to Accept the Bid from Able Concrete, Inc.**

TREASURER PIZZO MOVED THAT THE DELTA CHARTER TOWNSHIP BOARD ACCEPT THE BID FROM ABLE CONCRETE, INC. FOR THE 2015 NORTH CANAL ROAD AND UPTON ROAD SIDEWALK EXTENSIONS IN THE AMOUNT OF \$87,797.05.

I FURTHER MOVE THAT THE TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO EXECUTE THE NECESSARY DOCUMENTS RELATED TO THE AFOREMENTIONED PROJECTS.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**8. Recommendation to Accept the Bid from E.T. Mackenzie Company**

TREASURER PIZZO MOVED THAT DELTA CHARTER TOWNSHIP ACCEPT THE BID FROM E.T. MACKENZIE COMPANY FOR THE REPLACEMENT OF THE BELAIRE HILLS LIFT STATION, AS OUTLINED IN THEIR BID DATED JUNE 9, 2015, IN THE AMOUNT OF \$342,177.25.

I FURTHER MOVE THAT THE TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO SIGN THE NECESSARY DOCUMENTS RELATED TO THE BELAIRE HILLS LIFT STATION REPLACEMENT PROJECT.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**9. Recommendation to Accept the Bid from Cummins Power Generation for the Belaire Hills Lift Station Emergency Generator**

TREASURER PIZZO MOVED THAT DELTA CHARTER TOWNSHIP ACCEPT THE BID FROM CUMMINS POWER GENERATION FOR THE BELAIRE HILLS LIFT STATION EMERGENCY GENERATOR, AS OUTLINED IN THEIR BID DATED JUNE 10, 2015, IN THE AMOUNT OF \$ 16,180.00.

I FURTHER MOVE THAT THE TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO SIGN THE NECESSARY DOCUMENTS RELATED TO THE BELAIRE HILLS LIFT STATION REPLACEMENT EMERGENCY GENERATOR PURCHASE.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – NONE.**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA**

**XIV. ITEMS OF BUSINESS**

**10. Tentative Agreement between Delta Charter Township and Delta Township Fire Fighters Local 2846 International Association of Fire Fighters**

Mr. Anderson thanked the Township Board, and Mr. Barnes for his time working on this agreement over the past twelve months. This contract addresses a problem that has been in place over the last fifteen years. This agreement reduces the unfunded liability of the firefighter's pension system from \$4.1 million to \$1.5 million. Mr. Anderson also acknowledged Richard Watkins and RA Davis from Thrun Law Firm for their efforts on this agreement as well.

Trustee Fedewa thanked Mr. Anderson for his efforts in spearheading this project.

TRUSTEE FEDEWA MOVED TO APPROVE THE FOLLOWING RESOLUTION:

WHEREAS, pursuant to the Michigan Public Employment Relations Act, representatives of Delta Township Administration and representatives of the Delta Township Professional Fire Fighters Association Local 2846, International Association of Firefighters (the "Association") have engaged in good faith negotiations as to the terms and conditions of a successor collective bargaining agreement, as the previous collective bargaining agreement expired on April 15, 2014; and

WHEREAS, on April 9, 2015, the Board of Trustees and the Association reached a tentative agreement consistent with the terms of the attached tentative agreement; and

WHEREAS, the Board of Trustees is informed that the Association ratified the terms and conditions of the attached tentative agreement in accordance with the Association's ratification procedures and that the Association certified this ratification vote; and

WHEREAS, the Board of Trustees has reviewed the terms and conditions of the tentative agreement and finds that they are in the Township's best interest.

THEREFORE, BE IT RESOLVED, THAT:

1. The Board of Trustees ratifies the attached tentative agreement with the Association, which is effective through December 31, 2018.
2. The Board of Trustees authorizes and directs the Township Manager to take all appropriate action to implement this resolution as soon as possible.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**11. Introduction of Redwood Acquisition, LLC Rezoning Request in Case No. 5-15-6**

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE REDWOOD ACQUISITION, LLC REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 5-15-6 FROM RA, VERY LOW DENSITY RESIDENTIAL, AND A2, AGRICULTURAL/RESIDENTIAL, TO RD, MEDIUM RESIDENTIAL. I FURTHER MOVE THAT THE REZONING REQUEST BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE JULY 6, 2015 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

CLERK CLARK SUPPORTED THE MOTION.

Trustee Fedewa stated that he attended the Planning Commission meeting during some of the residents' comments regarding this request. He stated that some of the residents were concerned with the increase of traffic that could result from this request being granted.

Paul Furtaw, Bergmann Associates, 1427 W. Saginaw, East Lansing, Michigan, representing Redwood Acquisition, LLC, stated that he was available to answer any questions that the Board may have regarding this request.

THE MOTION PASSED 5-0.

**12. Recommendation to Approve a Utility Rate Increase**

Trustee Kosinski stated that the proposed increase represents a consistent pattern of rate increases, while maintaining a consistent high level of services.

CLERK CLARK MOVED THAT THE TOWNSHIP BOARD APPROVE A RATE INCREASE OF 3.0% FOR THE WATER FUND RATES, AND 1.0% FOR THE SANITARY SEWER FUND RATES TO BE EFFECTIVE FOR THE JUNE 2015 BILLING.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 5-0.

**XV. MANAGER'S REPORT – Brian Reed, Township Manager**

Mr. Reed stated that he spent some time visiting some of the flooded areas of the Township with Chief Clark after receiving between 4-5 inches of rain in a very short period of time. As of June 15, 2015, the Township's waste water treatment plant is pushing through 8 million gallons of flow, a normal flow would be around 4 million gallons.

Mr. Reed has been working with Clerk Clark, Ms. Marwede, and Mr. Marquette on creating new FOIA procedures.

Mr. Reed has been continuing to meet with departments and attending Township committee meetings.

Treasurer Pizzo asked about the four foot elevation increase that Mr. Nakfoor had referenced.

Mr. Graham stated a site plan was approved in 2008 for Our Savior Lutheran Church. Shortly thereafter, there was a Section 17 drain project done on St. Joe Highway by Brady Harrington, the Drain Commissioner. Mr. Harrington needed a place to dispose of waste, he worked out an agreement with CD Hughes to haul all of the spoil dirt on to the westernmost portion of the church property. A copy of a soil erosion permit and fill plan was requested, but neither was received by the Township. The project for Our Savior Lutheran Church project was approved subject to detention basins being built west of the church, with a restricted outlet into the 48" St. Joe Highway drain, the Drain Commission office did give their approval.

Supervisor Fletcher asked about the last time the Township had flooding issues similar to the past weekend, and the reaction from the Eaton County Drain Commissioner's office.

Mr. Graham stated that June 13, 2013 was the last time Delta Township experienced significant flooding, receiving between 6-7" of rain within a 24 hour period. The Drain Commissioner held a meeting at that time, Mr. Wagner and Mr. Porter, the Drain Commissioner's engineer at the time, talked about possible solutions. The drain was cleaned, and additional catch basins were installed, and another catch basin was lowered by one foot. Mr. Graham spoke to the Drain Commissioner regarding the flooding on June 14, 2015, and Mr. Harrington stated that the pipe was overloaded. Mr. Harrington has drafted a petition for an engineering study, requiring five signatures in the drainage district of Countryside Estates. Mr. Harrington stated that anyone who signs the petition could be subject to an assessment and other fees. Myers & Henderson drainage district is in the Mt. Hope Park 60 acre property, owned by Delta Township, which has a 48" drain. Pointe West did receive flooding of approximately three feet in the cul-de-sac, but did not reach any basements in the area. ET MacKenzie is currently working on a pipe project, until they are finished, the catch basins will be covered to prevent dirt collection. Detention basins will be completed within the next 30-60 days. Thomas L Parkway south was flooded on June 14, 2015, will need to check to see if the catch basin covers caused the problem.

#### **XVI. COMMITTEE OF THE WHOLE**

#### **XVII. PUBLIC COMMENTS –**



**XVIII. ADJOURNMENT –**

Supervisor Fletcher adjourned the meeting at 6:46 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK

/hs

K:\Clerk\Board Materials\Board Meetings\Minutes\2015\June 15, 2015 Regular Board Meeting  
Minutes Approved: